

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

**THE CONNECTICUT LIGHT AND
POWER COMPANY AND THE UNITED
ILLUMINATING COMPANY APPLICATION
FOR A CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED FOR
THE CONSTRUCTION OF A NEW 345-KV
ELECTRIC TRANSMISSION LINE AND
ASSOCIATED FACILITIES BETWEEN THE
SCOVILL ROCK SWITCHING STATION IN
MIDDLETOWN AND THE NORWALK
SUBSTATION IN NORWALK,
CONNECTICUT.**

DOCKET NO. 272

JULY 19, 2004

**MEMORANDUM OF THE CITY OF MILFORD REGARDING
PREFERRED TRANSMISSION LINE ROUTES**

In accordance with the request of the Connecticut Siting Council (“Council”) for the identification of each municipality’s “preferred routes” for the above referenced transmission line facility, the City of Milford (“Milford” or “City”) hereby submits this memorandum. Milford appreciates this opportunity to respond to the Council’s request for the City’s preferred underground, overhead and combination configurations for this facility. Milford agrees that it is essential that the Council be provided with input from each Town as to siting issues that are specific to that Town. Moreover, the record has not yet been developed as to EMF mitigation techniques, and it is therefore impossible for Milford to express preferences with any certainty at this time. For these reasons and notwithstanding this submission, Milford explicitly reserves all of its legal and equitable rights in this proceeding, and suggests that all Towns be afforded the opportunity to supplement this response at a future date, when the record is better developed.

I. Preferred Underground Route

The City believes that the optimal underground route in Milford will be located under public roadways, specifically under Route 1/Boston Post Road. There are also many possible underground route permutations involving local roads that Milford would support. The City would be willing however, to consider any underground alternatives that are identified. Based upon the evidence in the record, Milford believes that a short length of either XLPE cable or the implementation of DC technology would be a feasible way to approach an underground route through Milford, however it does not limit the consideration of any feasible underground alternative. Information in the record indicates that the location of the proposed East Devon Substation in Milford could pose an engineering benefit to the Applicants in locating additional undergrounding through Milford. This would be a positive solution to the City, which seems to be disproportionately burdened by the development of public utility infrastructure within its borders.

Milford reiterates its position that the ideal route for this facility would be one that addresses the concerns and needs of all of the communities from Middletown to Norwalk. Therefore, it has, and will continue to advocate for an underground route in Milford that is part of a larger solution, such as the East Shore Route, or any other regionally acceptable route.

II. Preferred Overhead Route

Milford has given serious consideration to the Council's request and spent a great deal of time and effort to identify a route that could accommodate an overhead

transmission line. It has concluded however, that there is no potential location which an overhead transmission line could traverse the City without impacting dense residential neighborhoods, recreation areas, parks or schools.

The location of the proposed transmission line within the existing right of way bisects Milford's largest open space and recreational area and is proximate to several dense residential neighborhood areas. If all other options and possibilities were exhausted and it was demonstrated to a certainty that an overhead route was the only feasible route for the transmission line, then Milford would take the position that it should be located within the existing right of way to avoid new impacts to currently undisturbed areas of the City. If the transmission line were to be located within the existing right of way, the City would expect that EMF mitigation options would be employed to reduce potential EMF emission to ambient levels in any location where human exposure is possible. The Applicant will need to provide Milford with specific EMF calculations implementing this mitigation prior to construction of the facility, and in order to demonstrate compliance, provide specific post-construction EMF measurements in any residential or recreational area subjected to an overhead transmission line. Milford would also expect the Applicants to provide vegetative screening in areas of concern identified by the City. It should be reiterated however, that Milford does not support locating the 345 kV transmission line overhead through the City.

Milford believes that this facility should be fully compliant with Public Act 04-246. The location of sensitive areas such as Eisenhower Park require that the only fully compliant route in Milford would be one located underground. Milford is convinced that creative solutions (i.e. a short length of XLPE cable, DC technology, etc.) can and should

be employed to locate the facility underground, protect the City's recreational and residential areas, and satisfy the requirements of P.A. 04-246.

III. Preferred Underground/Overhead Route

Milford provided the Applicants with several route alternatives on May 11, 2004, which routes were further identified in correspondence dated May 25, 2004. UI reviewed these three options and in correspondence dated May 28, 2004 confirmed that one of the identified routes was feasible from a construction standpoint. That route is identified as Proposal #1 in the narrative and is mapped out on a GIS map attached as Tab A to that document.

Milford's preferred combination overhead/underground route would begin at the proposed East Devon substation and proceed underground in a northeasterly direction along the existing right of way to a transition station just past the Milford Connector. The line would then continue overhead for the remainder of the routing through Milford. This route would require an additional 7,350 feet of undergrounding and would include undergrounding the existing 115 kV lines along with the proposed 345 KV lines in the first segment of the right of way. Again, Milford is confident that a creative engineering application (XLPE, DC, etc.) that can ensure the location of underground transmission lines in this very limited area.

IV. Conclusion

Milford provides this information in response to the Council's request, but notes that it is impossible at this point in the proceeding (particularly given the recent issues

that have been raised about the safety and reliability of the proposal) to provide the Council with any definitive or conclusive position about a route that the City would support.

The harmonic and load flow studies commissioned by Milford have been delayed until the Applicants, working in conjunction with ISO, have identified a solution to the safety and reliability concerns recently raised by ISO. Once this solution is identified, the Towns must be afforded the opportunity to conduct their regional studies and Milford must be given the time necessary to run the city specific studies that were postponed as a result of this unexpected development. Further, Milford must be given the time necessary to conduct discovery and present evidence into the record.

Milford has and will continue to actively participate in this proceeding and will supplement this memorandum as more information is made available. In the interim, Milford will continue to do everything possible to “paint a picture” for the Council and to that end, reiterates its concerns about the impacts this proposal will have on its residential and recreational areas.

Respectfully submitted,

THE CITY OF MILFORD

BY

Julie Donaldson Kohler
Hurwitz, Sagarin & Slossberg, LLC
147 North Broad Street
P.O. Box 112
Milford, Connecticut 06460
Tel: (203) 877-8000
Fax: (203) 878-9800
Its Attorneys

CERTIFICATION

I hereby certify that a copy of the foregoing has this date been served upon the following:

<p>Applicant: Northeast Utilities Service Company</p> <p>Anthony M. Fitzgerald, Esq. Brian T. Henebry, Esq. Carmody & Torrance LLP 50 Leavenworth Street P.O. Box 1110 Waterbury, CT 06721-1110 (203) 573-1200 (203) 575-2600 – fax</p>	<p>Applicant: The United Illuminating Company</p> <p>Linda L. Randell, Esq. Bruce L. McDermott, Esq. Wiggin & Dana LLP One Century Tower New Haven, CT 06508-1832 (203) 498-4322 (203) 782-2889 – fax</p>	
<p>Party:</p> <p>Honorable Robert W. Megna State Representative – 97th District 40 Foxon Hill Road, #54 New Haven, CT 06513 (203) 240-8585 (800) 842-8267</p>	<p>Intervenor:</p> <p>Honorable Al Adinolfi State Representative 103rd District 235 Sorghum Mill Drive Cheshire, CT 06410 (203) 272-9701 (800) 842-1423 (860) 240-0207 - fax</p>	<p>Party: Town of Middlefield</p> <p>Eric Knapp, Esq. Branse & Willis, LLC 41-C New London Turnpike Glen Lochen East Glastonbury, CT 06033-2038 (860) 659-3735 (860) 659-9368 - fax</p>
<p>Party: Town of Wallingford</p> <p>Peter G. Boucher, Esq. Halloran & Sage, LLP 225 Asylum Street Hartford, CT 06103 (860) 297-4650 (860) 548-0006 - fax</p>	<p>Town of Wallingford cc:</p> <p>Janis M. Small, Esq. Town Attorney Wallingford Town Hall 45 South Main Street Wallingford, CT 06492 (203) 294-2140 (203) 294-2112 - fax</p>	<p>Party: City of Norwalk:</p> <p>Louis S. Ciccarello Corporation Counsel P.O. Box 798 Norwalk, CT 06856-0798 (203) 854-7750 (203) 854-7901 - fax</p>
<p>Party: Town of Durham:</p> <p>Peter G. Boucher, Esq. Halloran & Sage, LLP 225 Asylum Street Hartford, CT 06103 (860) 297-4650 (860) 548-0006 - fax</p>	<p>Town of Durham cc:</p> <p>Maryann Boord First Selectwoman Durham Town Hall 30 Townhouse Road Durham, CT 06422 (860) 349-3625 (860) 349-8391 - fax</p>	<p>Party: Town of Woodbridge</p> <p>David A. Ball, Esq. Cohen and Wolf, P.C. 1115 Broad Street Bridgeport, CT 06604 (203) 337-4134 (203) 576-8504 – fax</p>

<p>Party: Town of Westport</p> <p>Town of Westport c/o Ira W. Bloom, Esq. 27 Imperial Avenue Westport, CT 06680 (203) 227-9545 (203) 227-2443 – fax</p>	<p>Intervenor:</p> <p>Honorable Mary G. Fritz State Representative – 90th District 43 Grove Street Yalesville, CT 06492 (203) 289-1169 (800) 842-1902 (860) 240-0206 - fax</p>	<p>Intervenor:</p> <p>Honorable Raymond Kalinowski State Representative – 100th District P.O. Box 391 Durham, CT 06422 (800) 842-1423 (860) 240-0207 - fax</p>
<p>Party: City of Meriden</p> <p>Deborah L. Moore, Esq. Legal Department City Hall 142 East Main Street Meriden, CT 06450 (203) 630-4045 (203) 630-7907 - fax</p>	<p>Party: Atty. General Richard Blumenthal</p> <p>Michael C. Wertheimer Assistant Attorney General Attorney General's Office 10 Franklin Square New Britain, CT 06051 (860) 827-2603 (860) 827-2983</p>	<p>Party: Office of Consumer Counsel</p> <p>Bruce C. Johnson Litigation Attorney Office of Consumer Counsel Ten Franklin Square New Britain, CT 06051 (860) 827-2900 (860) 827-2929 – fax</p>
<p>Party: City of Bridgeport</p> <p>Melanie J. Howlett Associate City Attorney City of Bridgeport 999 Broad Street Bridgeport, Connecticut 06604-4328 (203) 576-7647 (203) 576-8252 – fax</p>	<p>Party: Communities for Responsible Energy:</p> <p>Trish Bradley, President Ed Schwartz, Treasurer Communities for Responsible Energy, Phase II 45 Ironwood Lane Durham, CT 06422 (860) 349-9137</p>	<p>Intervenor: ISO New England Inc.</p> <p>Anthony M. Macleod, Esq. Whitman Breed Abbott & Morgan LLC 100 Field Point Road Greenwich, CT 06830 (203) 869-3800 (203) 869-1951 – fax</p>
<p>Intervenor:</p> <p>Honorable Themis Klarides State Representative – 114th District 23 East Court Derby, CT 06418 (203) 735-5911 (800) 842-1423 (860) 240-0207 – fax</p>	<p>Party: The Woodlands Coalition for Responsible Energy</p> <p>Lawrence J. Golden, Esq. Pullman & Comley, LLC 90 State House Square Hartford, CT 06103-3702 (860) 424-4346 (860) 424-4370</p>	<p>Party: PSEG Power Connecticut LLC</p> <p>David A. Reif Jane K. Warren Joel B. Casey McCarter & English, LLP CityPlace I Hartford, CT 06103 (860) 275-6700 (860) 724-3397 – fax</p>

<p>Party: Department of Transportation</p> <p>Charles H. Walsh Assistant Attorney General 55 Elm St., P.O. Box 120 Hartford, CT 06141-0120 (860) 808-5090 (860) 808-5384 - fax</p>	<p>Party: Town of Fairfield</p> <p>Honorable Kenneth A. Flatto First Selectman Independence Hall 725 Old Post Road Fairfield, CT 06824 (203) 256-3030 (203) 256-3008 – fax</p>	<p>Party: South Central Connecticut Water Authority</p> <p>Andrew W. Lord Murtha Cullina LLP CityPlace I, 29th Floor 185 Asylum Street Hartford, Connecticut 06103-3469 (860) 240-6180 (860) 240-6150</p>
<p>Party: Town of Wilton</p> <p>Monte E. Frank, Esq. Cohen and Wolf P.C. 158 Deer Hill Avenue Danbury, Connecticut 06810 (203) 337-4134 (203) 576-8504 – fax</p>	<p>Party: Town of Weston</p> <p>David A. Ball, Esq. Cohen and Wolf, P.C. 1115 Broad Street Bridgeport, Connecticut 06604 (203) 337-4134 (203) 576-8504 - fax</p>	<p>Party: Town of Cheshire</p> <p>Richard J. Burturla, Esq. Town Attorney Berchem, Moses & Devlin, PC 75 Broad Street Milford, CT 06460 (203) 782-1200 (203) 878-4912 – fax</p>
<p>Party: Town of Orange</p> <p>Brian M. Stone, Esq. Sousa, Stone & D'Agosto LLC 375 Bridgeport Avenue Shelton, CT 06484 (203) 929-8283 (203) 548-0006</p>	<p>Intervenor: Connecticut Business & Industry Associate (CBIA)</p> <p>Robert E. Earley Connecticut Business & Industry Assoc. 350 Church Street Hartford, CT 06103-1106 (860) 244-1900 (860) 278-8562 - fax</p>	<p>Party: Town of Bethany</p> <p>Honorable Derrylyn Gorski First Selectwoman Bethany Town Hall 40 Peck Road Bethany, CT 06524-3378 (203) 393-2100 ext. 100</p>
<p>Party: Town of Hamden</p> <p>Joaquina Borges King Assistant Town Attorney Hamden Government Center 2750 Dixwell Avenue Hamden, CT 06518 (203) 287-7050 (203) 287-7051 - fax</p>	<p>Party: City of Middletown</p> <p>Timothy P. Lynch Deputy City Attorney City Attorney's Office 245 deKoven Drive P.O. Box 1300 Middletown, CT 06457-1300 (860) 344-3422 (860) 344-3521</p>	<p>Party: Town of North Haven</p> <p>David J. Monz Updike, Kelly & Spellacy, P.C. One Century Tower 265 Church Street New Haven, CT 06510 (203) 786-8303 (203) 772-2037 – fax</p>

<p>Party: Town of Easton</p> <p>William J. Kupinse, Jr. First Selectman Easton Town Hall 225 Center Road P.O. Box 61 Easton, CT 06612 (203) 268-6291 (203) 268-4928 – fax</p>	<p>Intervenor:</p> <p>Honorable William A. Aniskovich State Senate – 12th District 15 Grove Avenue Branford, CT 06405 (860) 240-0596</p>	<p>Intervenor: First District Water Department</p> <p>Franco Chieffalo General Supervisor First District Water Department P.O. Box 27 Norwalk, CT 06852 (230) 847-7387 (203) 846-3482 – fax</p>
<p>Party: Woodbridge Jewish Organizations</p> <p>David R. Schaefer, Esq. Brenner Saltzman & Wallman, LLP 271 Whitney Avenue New Haven, CT 06511 (203) 772-2600 (203) 562-2098 - fax</p>	<p>Intervenor:</p> <p>Senator Joseph J. Crisco, Jr. 17th District State Capitol Hartford, CT 06106-1591 (860) 240-0189 (860) 240-0027 – fax</p>	<p>Intervenor:</p> <p>Honorable Leonard A. Fasano State Senator – 34th District 7 Sycamore Lane North Haven, CT 06473 (203) 234-2371</p>
<p>City of New Haven:</p> <p>Elizabeth Gilson, Esq. 383 Orange Street New Haven, CT 06511 (203) 777-4050 (203) 787-3259 – fax</p>	<p>Branford Conservation and Environment Commission:</p> <p>William C. Horne Co-Chairman Branford Conservation and Environment Commission P.O. Box 150, Town Hall Branford, CT 06405</p>	<p>Town of Branford:</p> <p>Honorable John E. Opie First Selectman Branford Town Hall P.O. Box 150, Town Hall Branford, CT 06405</p>

Julie Donaldson Kohler